

CALIFORNIA LEGISLATURE  
1999-2000 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 17, 1999**

**THIRTY-FIFTH SESSION DAY**

**ONE HUNDRED FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, March 17, 1999

The Assembly met at 7 a.m.

Hon. Abel Maldonado, Assembly Member, 33rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—74:

Aanestad	Ducheny	Leonard	Scott
Ackerman	Dutra	Longville	Shelley
Alquist	Firebaugh	Lowenthal	Soto
Aroner	Florez	Machado	Steinberg
Bates	Floyd	Maddox	Strickland
Battin	Frusetta	Maldonado	Strom-Martin
Baugh	Gallegos	Margett	Thompson
Brewer	Granlund	Mazzoni	Thomson
Briggs	Havice	McClintock	Torlakson
Calderon	Hertzberg	Migden	Vincent
Campbell	Honda	Nakano	Washington
Cardenas	House	Olberg	Wayne
Cardoza	Jackson	Oller	Wesson
Cedillo	Kaloogian	Pacheco, Robert	Wiggins
Corbett	Keeley	Papan	Wildman
Correa	Knox	Pescetti	Zettel
Cox	Kuehl	Reyes	Mr. Speaker
Cunneen	Leach	Romero	
Dickerson	Lempert	Runner	

Quorum present.

**At 10:45 a.m., Hon. Bill Campbell, 71st District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*On legislative business: Assembly Members Ashburn, Baldwin, Davis, Rod Pacheco, and Wright.*

**EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 17, 1999

*The Honorable Antonio Villaraigosa  
California State Assembly Speaker  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: I respectfully request that I be excused from check-in session on Wednesday, March 17, 1999. I will be in my district on legislative business.

Thank you for your immediate attention to this request. If you have any questions, please feel free to contact me at: 319-2032.

Best regards,

ROY ASHBURN, Assembly Member  
Thirty-second District

March 16, 1999

*The Honorable Antonio Villaraigosa  
Speaker of the Assembly  
Room 219, State Capitol  
Sacramento, California*

Dear Mr. Speaker: I need to be excused on legislative business from check-in session on Wednesday, March 17 and regular session on Thursday, March 18 because I need to be in the district to take care of some pressing district matters.

Thank you for your assistance in this matter.

Sincerely,

STEVE BALDWIN, Assembly Member  
Seventy-seventh District

March 4, 1999

*The Honorable Antonio Villaraigosa, Speaker  
California Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: The purpose of this letter is to notify you of my absence from Education Committee and Assembly Session from March 17 through March 18, 1999. I will be in Washington D.C. on legislative business.

Further I am requesting that Assemblymember Wayne be temporarily appointed to Assembly Education Committee in my absence.

Thank you for your consideration of this request. If there are any questions, please call me.

Sincerely,

SUSAN A. DAVIS, Assembly Member  
Seventy-sixth District

March 17, 1999

*Hon. Antonio Villaraigosa, Speaker  
California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: This letter is to respectfully request an excuse from session, on March 17, 1999. I will be in Los Angeles on Legislative Business. Please call Karrie Watson at 319-2064 if you have any questions regarding this request.

Very truly yours,

ROD PACHECO, Assembly Member  
Sixty-fourth District

March 2, 1999

*The Honorable Antonio Villaraigosa  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: This letter is to respectfully request permission to be excused from Check-in Session and committee hearings on Wednesday, March 17, 1999 due to legislative business in my district. I will be making a presentation before the Museum of Natural History Board of Trustees Meeting. I will return to Sacramento later this same day.

Should you have any questions or comments, please feel free to contact my office at 319-2048. Thank you for your attention to my request.

Sincerely,

RODERICK D. WRIGHT, Assembly Member  
Forty-eighth District

#### **COMMUNICATIONS**

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 16, 1999

*E. Dotson Wilson  
Chief Clerk  
State Capitol  
Sacramento, California*

Dear Dotson: Please be advised that I have created the Select Committee on School Funding Reform and have named Assemblymember Tom Calderon as Chairman.

Sincerely,

ANTONIO R. VILLARAIGOSA  
Speaker of the Assembly

March 17, 1999

*E. Dotson Wilson*  
*Chief Clerk*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Dotson: Please be advised that I have changed the name of the Assembly Select Committee on Agricultural Exports and International Market Development to the Select Committee on Agricultural Imports and Exports. Further, I have appointed the following members to serve on the Select Committee:

Assemblymember Sam Aanestad  
 Assemblymember Dennis Cardoza  
 Assemblymember Peter Frusetta  
 Assemblymember Mike Machado  
 Assemblymember Abel Maldonado  
 Assemblymember Kerry Mazzoni  
 Assemblymember Carl Washington  
 Assemblymember Howard Wayne

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

March 17, 1999

*Mr. E. Dotson Wilson, Chief Clerk*  
*California State Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

Dear Mr. Wilson: Please be advised that pursuant to Health & Safety Code, §1799 (Created by: 1260 of 1980); (Amended by: Chapter Amended 1391 of 1984, SB 1124—Watson); (Amended by: Chapter Amended 1726 of 1984, AB 2840—Felando) (Amended by: Chapter Amended 42 of 1985, AB 99—Johnston); (Amended by: Chapter Amended 1102 of 1987, AB 1017—Bronzan); (Chapter Amended 220 of 1989, SB 217—Royce) I have appointed Lou Meyer to the Commission on Emergency Medical Services.

The effective date of this term appointment is March 17, 1999, expiring January 1, 2002.

Sincerely,

ANTONIO R. VILLARAIGOSA  
 Speaker of the Assembly

#### RESOLUTIONS

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 27—Strom-Martin** (Coauthors: Aanestad, Alquist, Aroner, Baugh, Briggs, Campbell, Cedillo, Corbett, Correa, Cox, Cunneen, Davis, Dickerson, Ducheny, Keeley, Mazzoni, Nakano, Olberg, Thomson, and Torlakson). Relative to the American Red Cross.

**ASSEMBLY CONCURRENT RESOLUTION NO. 28—Honda.** Relative to children.

**ASSEMBLY CONCURRENT RESOLUTION NO. 29—Wright.** Relative to Absolutely Incredible Kids Day.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 17, 1999

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 23

Assembly Bill No. 231

Assembly Bill No. 52

Assembly Bill No. 264

Assembly Bill No. 117

Assembly Bill No. 293

Assembly Bill No. 174

Assembly Bill No. 357

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**AUTHOR'S AMENDMENTS****Committee on Water, Parks and Wildlife**

March 17, 1999

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 303

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MACHADO, Chairman

**ASSEMBLY BILL NO. 303**—An act to amend Section 10750 of the Water Code, relating to water.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS****Committee on Banking and Finance**

March 17, 1999

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 244

With author's amendments with the recommendation: Amend, and re-refer to the committee.

PAPAN, Chairman

**ASSEMBLY BILL NO. 244**—An act to add Section 25118 to the Corporations Code, relating to usury.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS****Committee on Veterans Affairs**

March 17, 1999

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 193

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FLOYD, Chairman

**ASSEMBLY BILL NO. 193**—An act to add and repeal Section 1011.7 of the Military and Veterans Code, relating to veterans.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Revenue and Taxation**

March 17, 1999

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 41

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KNOX, Chairman

**ASSEMBLY BILL NO. 41**—An act to add Section 19382.5 to the Revenue and Taxation Code, relating to taxation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Consumer Protection, Governmental Efficiency and Economic Development**

March 17, 1999

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Assembly Bill No. 346

With author's amendments with the recommendation: Amend, and re-refer to the committee.

DAVIS, Chairwoman

**ASSEMBLY BILL NO. 346**—An act to amend Sections 7581, 7583.37, and 7588 of the Business and Professions Code, and to amend Sections 171b, 171c, 171d, 626.9, 11106, 12027, 12050, and 12053 of the Penal Code, relating to firearms.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Health**

March 17, 1999

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 58

Assembly Bill No. 271

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GALLEGOS, Chairman

**ASSEMBLY BILL NO. 58**—An act to add Section 2042 to the Business and Professions Code, relating to physicians and surgeons.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 271**—An act to add Section 2240 to the Business and Professions Code, and to amend Sections 1248.15, 1248.65, and 1250 of the Health and Safety Code, relating to medical care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

March 17, 1999

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 124

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MIGDEN, Chairwoman

**ASSEMBLY BILL NO. 124**—An act to amend Section 2531 of the Business and Professions Code, relating to the Speech-Language Pathology and Audiology Board, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Public Safety**

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 202

Assembly Bill No. 381

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

HONDA, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 89

With the recommendation: Do pass.

HONDA, Chairman

Above bill ordered to second reading.

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 234

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

HONDA, Chairman

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: March 17, 1999

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 93

Senate Bill No. 104

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MIGDEN, Chairwoman

Above bills ordered to second reading.



**Committee on Health**

Date of Hearing: March 9, 1999

Mr. Speaker: Your Committee on Health reports:  
Assembly Bill No. 254

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Judiciary.

GALLEGOS, Chairman

Above bill ordered to second reading.

**Committee on Elections, Reapportionment and Constitutional Amendments**

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 100

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

VINCENT, Chairman

Above bill ordered to second reading.

**Committee on Public Employees, Retirement and Social Security**

Date of Hearing: March 17, 1999

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 91

Assembly Bill No. 227

Assembly Bill No. 99

Assembly Bill No. 363

Assembly Bill No. 167

Assembly Bill No. 839

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CORREA, Chairman

Above bills re-referred to the Committee on Appropriations.

**Committee on Higher Education**

Date of Hearing: March 16, 1999

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 206

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LEMPERT, Chairman

Above bill re-referred to the Committee on Appropriations.

**Committee on Public Employees, Retirement and Social Security**

Date of Hearing: March 17, 1999

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 266

Assembly Bill No. 316

With the recommendation: Do pass.

CORREA, Chairman

Above bills ordered to second reading.

Date of Hearing: March 17, 1999

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 232

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CORREA, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 17, 1999

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Joint Resolution No. 9

With the recommendation: Be adopted.

CORREA, Chairman

Above resolution ordered on file.

**Committee on Education**

Date of Hearing: March 17, 1999

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 264

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

MAZZONI, Chairwoman

Above bill re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 239**—An act to amend Sections 2357, 2580, 8465, and 17200 of, to add Part 18 (commencing with Section 825) to Division 2 of, and to repeal Section 7200 of, the Probate Code, relating to estates and trusts.

Bill read second time, and ordered to Consent Calendar.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 17, 1999

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 239

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to the Consent Calendar.

**ADJOURNMENT**

At 3:25 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 18, 1999.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 17, 1999**

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The following measures were amended in the Assembly on this day:

<b>AB</b>	<b>RN</b>
41	9908874
58	9909031
124	9909192
193	9909086
244	9908953
271	9909203
303	9909055
346	9908810

<b>Daily Total:</b>	<b>8</b>
<b>Cumulative Total:</b>	<b>141</b>

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